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No. 67-197

Supreme Court, U.S.

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IN THE
Supreme Court of the United States
OCTOBER TERM, 1968

BRENDA PATTERSON,
v. *Petitioner,*
McLEAN CREDIT UNION,
Respondent.

On Writ of Certiorari to the United States
Court of Appeals for the Fourth Circuit

REPLY MEMORANDUM OF THE
AMERICAN BAR ASSOCIATION IN SUPPORT OF
ITS MOTION FOR LEAVE TO FILE A BRIEF
AS AMICUS CURIAE SUPPORTING PETITIONER

ROBERT MACCRATE *
President
American Bar Association
WILLIAM H. ALLEN
MITCHELL F. DOLIN
710 North Lake Shore Drive
Chicago, Illinois 60611
(312) 968-5000
*Attorneys for the American Bar
Association as Amicus Curiae*

* Counsel of Record
July 1968

IN THE
Supreme Court of the United States
OCTOBER TERM, 1988

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No. 87-107
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BRENDA PATTERSON,
v. *Petitioner,*
MCLEAN CREDIT UNION,
Respondent.

—
On Writ of Certiorari to the United States
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—

Respondent has filed an objection to the motion of the American Bar Association for leave to file its brief as amicus curiae in support of petitioner. The ground of respondent's objection is an assertion that the ABA did not follow its internal rules of procedure for the filing of amicus briefs. Respondent is in error. Moreover, the questions respondent has raised regarding internal ABA procedure are irrelevant to the standards prescribed for amicus participation under Rule 36 of the Rules of this Court.

The policy of the ABA is established by the House of Delegates or, when the House is not in session, by the Board of Governors. The House and the Board frequently

act on issues about which individual lawyers within the ABA have differences of opinion.

In this case, the Board of Governors, at its meeting in Denver, Colorado, on June 10, 1988, determined that the position of the ABA should be to oppose overruling *Keegan v. McCarty* and directed preparation of an amicus brief in support of that position. On June 13, a draft brief was circulated to all sections and divisions within the ABA. Thereafter, the draft brief was considered on June 17 by the ABA's Special Committee on Amicus Curiae Briefs, and, with that committee's recommendations before it, the Executive Committee of the Board of Governors reviewed the brief and on June 20 authorized its filing. The motion for leave to file and brief were submitted to the Court on June 24.

No action or decision of the ABA has opposed either the action taken by the Board of Governors on June 10 or the filing of the brief that was submitted by the President on behalf of the Association.

CONCLUSION

The American Bar Association urges that leave to file its proposed amicus brief be granted.

Respectfully submitted,

DAVID M. CLEGG *

President

American Bar Association

WILLIAM H. ALLEN

MICHAEL F. DUFFY

710 North Lake Shore Drive

Chicago, Illinois 60611

(312) 988-5000

Attorneys for the American Bar

Association in *Amicus Curiae*

* Counsel of Record